

The City Council of the City of Seabrook met in regular session on Tuesday, September 20, 2016 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

|                         |  |
|-------------------------|--|
| GLENN R. ROYAL          | MAYOR                                  |
| ROBERT LLORENTE         | COUNCIL PLACE NO. 1                    |
| MIKE GIANGROSSO         | COUNCIL PLACE NO. 2                    |
| GARY JOHNSON – Ex. Abs. | COUNCIL PLACE NO. 3                    |
| MELISSA BOTKIN          | COUNCIL PLACE NO. 4                    |
| GLENNA ADOVASIO         | COUNCIL PLACE NO. 5                    |
| O.J. MILLER             | MAYOR PRO TEM &<br>COUNCIL PLACE NO. 6 |
| GAYLE COOK              | CITY MANAGER                           |
| SEAN LANDIS             | DEPUTY CITY MANAGER                    |
| STEVE WEATHERED         | CITY ATTORNEY                          |
| ROBIN HICKS             | CITY SECRETARY                         |

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledge of Allegiance.

**1. PRESENTATIONS**

**1.1. EDC Semi-Annual Report**

**Presentation of the semi-annual Seabrook Economic Development Corporation report. (Chavez)**

Paul Dunphey, EDC President, presented the semi-annual report.

Business development incentives have been or will be given to the following businesses: Burkes, Hampton Inn, Tookie's Seafood; and Merlion. The businesses must perform as per the incentive agreement.

The EDC Board has partnered with the City on both the Comprehensive Master Plan and the SH 146 Corridor Expansion Project. The Board wants businesses to know there is a plan and assistance is available.

The EDC Director has been active in accomplishing visits to affected businesses of the SH 146 Expansion Project; coordinating a TXDOT Business Relocation Workshop that saw 26 of the 34 businesses noted for relocation by TXDOT in attendance; performing Site Consultant Tours; and conducting Business Morning Brew Meetings.

EDC Goals for 2016-17 include:

- Promotion of Seabrook branding, image enhancement, communication, and key marketing initiatives
- Development and promotion of Old Seabrook
- Review of and potential expansion of incentives for business development
- Guidance to the Seabrook City Council on economic development decisions and future land uses

This year has seen 14 new businesses plus one expansion in Seabrook, with 8 businesses closed but only three sites remaining vacant.

The 2016-17 EDC budget is straight forward, and was approved by the EDC Board on 9/8/16.

- Expenses = \$1,267,321
- Administrative Services = \$200,000
- Total Expenditures = \$1,467,321
- Expected Revenue = \$835,619

## **2. PUBLIC COMMENTS AND ANNOUNCEMENTS - None**

*At this time we would like to listen to any member of the audience on any subject matter, whether or not that item is on the agenda. All comments are limited to a maximum of four minutes for each speaker, shall be limited to city business or city-related business or matters of general public interest, and shall not include any personal attacks. In accordance with the Open Meetings Act, members may not discuss or take action on any item that has not been posted on the agenda. When your name is called, please come to the podium and state your name and address clearly into the microphone before making your comments. Thank you.*

2.1. Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Councilmember Giangrosso announced several events, including the Kids' Fish and the Saltwater Derby.

## **3. SPECIFIC PUBLIC HEARINGS**

Mayor Royal opened the public hearings for all three budgets.

3.1. Public Hearing EDC 2016/17 Budget

**Present the FY 2016/17 Seabrook Economic Development Corporation Budget. (Chavez)**

3.2. Public Hearing CCD 2016/17 Budget

**Present the FY 2016/17 Crime Control & Prevention District Budget. (Wright)**



3.3. Public Hearing General, Enterprise, and Special Funds 2016/17 Budget  
**Present the General, Enterprise, and Special Funds Budgets for FY 2016/17. (Cook)**

Having no speakers come forward, Mayor Royal closed the public hearings.

3.4. Public Hearing on proposed Chesapeake Bay Senior Living Community PUD  
**Conduct a Public Hearing on submittal of Preliminary Plan by Chesapeake Bay for modification of Planned Unit Development (approved by Ordinance 2015-11), located immediately East of Repsdorph Road and South of Brummerhop Park by creating a Phase II, III, and IV, limiting all commercial uses to be located within Phase III to those permissible within C-1 (Light-Commercial District) with the exception that Restaurants shall be a Use by Right and not require a Conditional Use Permit. (Landis)**

The City Council did not conduct the public hearing on the Chesapeake Bay Senior Living Community PUD, as the notice published in the newspaper was incorrect; therefore, the public hearing will be conducted after publication of the correct notice.

**4. BID AWARDS**

4.1. Bid Award Project 2016-11

**Consider and take all appropriate action on a Bid Award for Project 2016-11, Relocation of the Water Plant. (Chairez)**

Arthur Chairez, Director of Public Works, stated that four (4) bids were received with the bid from Long & Son, Inc. being low bidder and within the budget for this project. Staff recommends the award of the bid go to Long and Son, Inc. for a sum of \$1,922, 307.00.

Amber Hurd, Shareholder, Cobb Fendley, stated that the low bid is a really good price. Ms. Hurd has worked with Long & Son, Inc. for 15 years on various projects, and the company is comfortable with its bid numbers.

Motion was made by Councilmember Miller and seconded by Councilmember Adovasio

To approve a Bid Award for Project 2016-11, Relocation of the Water Plant, to Long & Son, Inc.

MOTION CARRIED BY UNANIMOUS CONSENT

**5. CONSENT AGENDA**

**Council will discuss, consider, and if appropriate, take action on the items listed below.**

5.1. Resolution 2016-15 EDC Project Hampton Inn

**Approve on second of two readings proposed Resolution 2016-15, "EDC Project Designation for Seabrook Hospitality, LP (Hampton Inn) and Authorization for Business Development Grant for Reconstruction of Hotel." (Chavez)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, AUTHORIZING A PROJECT OF THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION, TO PROVIDE BUSINESS INCENTIVES TO SEABROOK HOSPITALITY, LP, DOING BUSINESS AS THE HAMPTON INN, IN AN AMOUNT NOT TO EXCEED \$40,000 FOR HOTEL CONSTRUCTION IMPROVEMENTS, PURSUANT TO THE TERMS AND CONDITIONS OF THE "ECONOMIC DEVELOPMENT AGREEMENT", ATTACHED HERETO.**

**5.2. Investment Policy**

**Approve proposed Resolution 2016-18, "Adoption of the City's Investment Policy." (Gibbs)**

**5.3. CLEMC Monthly Report**

**Approve the Clear Lake Emergency Medical Corps (CLEMC) monthly report for August 2016. (Hunter)**

**5.4. Fire Department Monthly Report**

**Approve the Seabrook Volunteer Fire Department (SVFD) monthly report for August 2016. (Gutaker)**

**5.5. This item was removed from the Consent Agenda by City Manager, Gayle Cook.**

**5.6. Building Department Monthly Report**

**Approve the Seabrook Building Department monthly report for August 2016. (Landis)**

**5.7. Special Event Houston Happy Hikers**

**Approve a special event permit and waiver of permit fees for the Houston Happy Hikers 5K and 10K Walks on Saturday, November 12, 2016, from 8:30 am until 3:00pm at Miramar Park. All supporting documentation, including a request for a waiver of the fees, has been submitted. (Hicks)**

**5.8. Excused Absence**

**Approve an excused absence for Robert Llorente and Mike Giangrosso for the September 6, 2016 regular City Council meeting. (Hicks)**

**Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso**

**To approve the Consent Agenda with the exception of item 5.5.**

**MOTION CARRIED BY UNANIMOUS CONSENT**

**5.5 Police Department Monthly Report**

**Approve the Seabrook Police Department monthly report for August 2016. (Wright)**

**Ms. Cook stated that the Police Department purchased new reporting software that will give Council year to date information. The August 2016 report shows a large percentage change on the number of thefts of motor vehicles.**



Chief Wright explained that under the category of theft of automobiles the report shows a 433% increase from 8 auto thefts in August 2015 to 17 in August 2016. The reality is there were four (4) thefts at Sam's Boat, and a couple of those cars did not have the doors locked. There were five (5) vehicle burglaries in one night, all related to the Family Dollar burglary. The suspects in the Family Dollar incident needed two vehicles, but they broke into five vehicles to steal ultimately steal two vehicles. The auto theft category on the report also includes attempted theft, which will show an increase. In addition, if a person breaks into a car to grab loose change, it is counted on the report as an auto theft. Of all the neighborhoods, there have only been three (3) additional/new burglaries this year from last year. The key is to lock your doors.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve the Seabrook Police Department monthly report for August 2016.

MOTION CARRIED BY UNANIMOUS CONSENT

6. NEW BUSINESS

*Council will discuss, consider and if appropriate, take action on the items listed below.*

6.1. Ordinance 2016-22 EDC Budget

**Consider and take all appropriate action on first and final reading of proposed Ordinance 2016-22, "Seabrook Economic Development Corporation (EDC) Budget for FY 2016/17." (Chavez)**

**AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK ECONOMIC DEVELOPMENT CORPORATION BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017 FOR THE CITY OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 20, 2016.**

Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

To approve on first and final reading proposed Ordinance 2016-22, "Seabrook Economic Development Corporation (EDC) Budget for FY 2016/17".

MOTION CARRIED BY UNANIMOUS CONSENT

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6.2. Ordinance 2016-23 CCD Budget

**Consider and take all appropriate action on first and final reading of proposed Ordinance 2016-23, "Seabrook Crime Control & Prevention District (CCD) Budget for FY 2016/17, as approved by the District's Board of Directors." (Wright)**

**AN ORDINANCE APPROVING AND ADOPTING THE SEABROOK CRIME CONTROL AND PREVENTION DISTRICT BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017 FOR THE CITY OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 20, 2016.**

Motion was made by Councilmember Adovasio and seconded by Councilmember Llorente

To approve on first and final reading proposed Ordinance 2016-23, "Seabrook Crime Control & Prevention District (CCD) Budget for FY 2016/17, as approved by the District's Board of Directors."

MOTION CARRIED BY UNANIMOUS CONSENT

6.3. Ordinance 2016-24 City Budget

**Consider and take all appropriate action, by required record vote, on first and final reading of proposed Ordinance 2016-24, "Budget Ordinance for FY 2016/17". (Cook/Gibbs)**

**AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2016 AND ENDING ON SEPTEMBER 30, 2017 FOR THE CITY OF SEABROOK; APPROPRIATING FUNDS; AND NOTING A PUBLIC HEARING WAS HELD BY THE SEABROOK CITY COUNCIL ON SEPTEMBER 20, 2016 IN ACCORDANCE WITH THE CITY'S CHARTER AND WITH STATE LAW.**

Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

To approve by roll call vote on first and final reading proposed Ordinance 2016-24, "Budget Ordinance for FY 2016/17".

Councilmember Llorente - yay  
Councilmember Giangrosso - yay  
Councilmember Johnson – absent  
Mayor Royal – yay  
Councilmember Botkin – yay  
Councilmember Adovasio – yay  
Councilmember Miller – yay



6.4. Ordinance 2016-25 Tax Ordinance

**Consider and take all appropriate action on first and final reading of Ordinance 2016-25, "Tax Ordinance". (Gibbs)**

**Four separate motions are required: 1) to approve a tax rate of \$0.394574 cents per \$100.00 valuation of assessed property for operations and maintenance; 2) to approve a tax rate of \$0.170603 cents per \$100.00 valuation of assessed property for the interest and sinking fund; 3) to approve the property tax rate of \$0.565177 cents per \$100.00 valuation which is equal to the effective tax rate; and 4) to approve proposed Ordinance 2016-25, "Tax Ordinance" on first and final reading with the reading of the caption serving as the reading of the ordinance and requiring a record vote. (Cook)**

**AN ORDINANCE FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE CITY OF SEABROOK, TEXAS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 AND DIRECTING THE ASSESSMENT AND COLLECTION THEREOF.**

Four separate motions are required:

1. Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve a tax rate of \$0.394574 cents per \$100.00 valuation of assessed property for operations and maintenance;

Councilmember Llorente - yay  
Councilmember Giangrosso - yay  
Councilmember Johnson – absent  
Mayor Royal – yay  
Councilmember Botkin – yay  
Councilmember Adovasio – yay  
Councilmember Miller - yay

2. Motion was made by Councilmember Miller and seconded by Councilmember Adovasio

To approve a tax rate of \$0.170603 cents per \$100.00 valuation of assessed property for the interest and sinking fund;

Councilmember Llorente - yay  
Councilmember Giangrosso - yay  
Councilmember Johnson – absent  
Mayor Royal – yay  
Councilmember Botkin – yay  
Councilmember Adovasio – yay  
Councilmember Miller – yay

3. Motion was made by Councilmember Miller and seconded by Councilmember Llorente

To approve the property tax rate of \$0.565177 cents per \$100.00 valuation which is equal to the effective tax rate;

Councilmember Llorente - yay  
Councilmember Giangrosso - yay  
Councilmember Johnson – absent  
Mayor Royal – yay  
Councilmember Botkin – yay  
Councilmember Adovasio – yay  
Councilmember Miller - yay

4. Motion was made by Councilmember Miller and seconded by Councilmember Adovasio

To approve proposed Ordinance 2016-25, "Tax Ordinance" on first and final reading with the reading of the caption serving as the reading of the ordinance and requiring a record vote.

Councilmember Llorente - yay  
Councilmember Giangrosso - yay  
Councilmember Johnson – absent  
Mayor Royal – yay  
Councilmember Botkin – yay  
Councilmember Adovasio – yay  
Councilmember Miller - yay

6.5. Resolution 2016-17 Water and Wastewater Utility Rates

**Consider and take appropriate action on proposed Resolution 2016-17, "Updating Water and Wastewater Utility Rates." (Gibbs)**

**A RESOLUTION UPDATING WATER AND WASTEWATER UTILITY RATES AND DEPOSITS EFFECTIVE WITH THE SEPTEMBER 15 - OCTOBER 15 BILLING CYCLE FOR THE CITY OF SEABROOK. THIS RESOLUTION REPLACES RESOLUTION 2015-30 WHICH WAS APPROVED ON OCTOBER 20, 2015.**

Ms. Cook stated that the water supply contract with the City of Pasadena is a 40 year contract, and the City of Pasadena has exercised and issued a letter to increase the rate. Resolution 2016-17 is adjusting the rates pursuant to that letter and to account for the new debt. The water rate study is still in effect and future rate adjustments will be made in conjunction with the water rate study.

Motion was made by Councilmember Llorente and seconded by Councilmember Giangrosso

To approve proposed Resolution 2016-17, "Updating Water and Wastewater Utility Rates."

MOTION CARRIED BY UNANIMOUS CONSENT



6.6. Chesapeake Bay Senior Living Community Request to Amend PUD  
**Consider and take all appropriate action on submittal of Preliminary Plan by Chesapeake Bay for modification of Planned Unit Development (approved by Ordinance 2015-11), located immediately east of Repsdorph Road and South of Brummerhop Park by creating a Phase II, III, and IV, limiting all commercial uses to be located within Phase III to those permissible within C-1 (Light-Commercial District) with the exception that Restaurants shall be a Use by Right and not require a Conditional Use Permit. (Landis)**

The City Council did not discuss or take action on the Chesapeake Bay Senior Living Community PUD, as the notice published in the newspaper was incorrect; therefore, this item will come back before Council after publication of the correct notice.

6.7. BAHCVB Agreement

**Consider and take all appropriate action on the Bay Area Houston Convention and Visitors Bureau ("BAHCVB") Agreement in an amount equal to 15% of the City's Hotel Occupancy Tax (HOT) revenues for a period beginning October 1, 2016 to September 30, 2019, with the right to terminate after one (1) year. (Cook)**

Ms. Cook explained that the City of League City tabled their item, and League City is the only city who has not yet committed to the three year agreement. If League City does not participate, the budget will still require only 15% from each participating city out of Hotel Occupancy Tax funds, but it will have an impact on the salaries of the CVB employees. Every city will have the opportunity to opt out after one (1) year.

Even though the CVB office is moving from Seabrook to Kemah, the hotel occupancy will not be affected because there are only two (2) hotels in Kemah. The CVB will be referring people to Seabrook, Nassau Bay, and League City for lodging. Most people who go to the Visitor Center want to know where to eat, where to do things, and to pick up discounted tickets. Those people are already in a hotel here.

Nassau Bay and Kemah are meeting this week and next to discuss and take action on this agreement. The CVB is trying to get all cities to approve the agreement before October 1.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Adovasio

To approve the Bay Area Houston Convention and Visitors Bureau ("BAHCVB") Agreement in an amount equal to 15% of the City's Hotel Occupancy Tax (HOT) revenues for a period beginning October 1, 2016 to September 30, 2019, with the right to terminate after one (1) year.

MOTION CARRIED BY UNANIMOUS CONSENT

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7. ROUTINE BUSINESS

*Council will discuss, consider and if appropriate, take action on the items listed below.*

7.1. Reports

Reports and announcements concerning items of community interest. No discussion or action will be taken by Council.

Council Liaisons:

- a. Bay Area Houston Convention & Visitors Bureau – See above item on the CVB agreement
- b. Bay Area Houston Economic Partnership – recently celebrated its 40<sup>th</sup> anniversary
- c. Bay Area Transportation Partnership – the Partnership has a new director, who is the former director of Harris County Judge Emmit's office
- d. Clear Lake Emergency Medical Corps – the next meeting is Sept. 28
- e. Economic Alliance, Port Region – EDC named the business of the year, which is Neptune Subs and the honor will be acknowledged at the banquet in November
- f. Galveston Bay Foundation – no report
- g. Hotel Tax Liaison Committee – no report
- h. Houston-Galveston Area Council – no report

7.2. Approve the Action Items Checklist which is attached and made a part of this Agenda.

TXDOT – Ms. Cook stated that TXDOT has made 46 offers. Several businesses have chosen the eminent domain package and are scheduling the next step. Cobb Fendley has been contracted to process eminent domain and they have secured the Community House for the hearings. The first hearing will take place in the next two weeks.

PROJECT UPDATES – The Public Works Complex is progressing really well and concrete will be poured sometime this week. The Delabrook Paving project is just about completed. The Todville and Meyer waterline projects are 90% completed and Public Works took special care to put the trails back in place every evening.

BENCHES AND PELICANS – The Council purchased benches should be in this week and probably by Friday, will be set in place. Council agreed to have the worst benches in the city replaced first. Ms. Cook will have an update on the Council's pelican at the next meeting.

Motion was made by Councilmember Miller and seconded by Councilmember Giangrosso

To approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

7.3. Establish future meeting dates and agenda items

Council is on its regular schedule.



8. EXECUTIVE SESSION

*The City Council will now hold a closed executive meeting pursuant to the provisions of the open meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in one or more of the following sections: Section 551.071, Consultation with Attorney; Section 551.072, Real Property; Section 551.073, Deliberation Regarding a Prospective Gift; Section 551.074, Personnel Matters; Section 551.076, Security Devices; and Section 551.087, Economic Development.*

At 7:52 p.m. Mayor Royal announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government code, and Vernon's Texas Codes Annotated, in accordance with the Authority contained in Section 551.071, Consultation with an Attorney.

8.1. Section 551.071


Pursuant to Section 551.071, Texas Government Code, consult with attorney to receive legal advice regarding Code of Ordinances, Appendix A, "Comprehensive Zoning", Section 4.10, "Planned Unit Developments". (Cook)

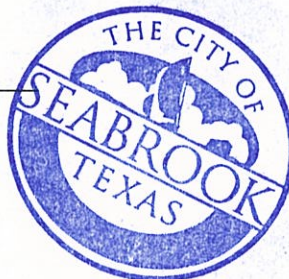
At 8:31 p.m. Mayor Royal reconvened the meeting in open session and stated that item 8.1 had been discussed, but that no action had been taken in executive session.

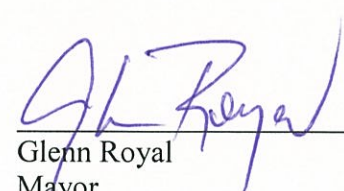
No action was taken in open meeting on the executive session items.

Upon motion duly made and seconded, Mayor Royal adjourned the meeting at 8:33 p.m.

Approved this 1st day of November, 2016.

  
Robin Hicks, TRMC  
City Secretary



  
Glenn Royal  
Mayor